
Introduced by Senator Romero

February 16, 2005

An act to amend Section 10209 of the Unemployment Insurance Code, relating to employment training.

LEGISLATIVE COUNSEL'S DIGEST

SB 314, as introduced, Romero. Job training.

Under existing law, the Employment Training Panel has specified duties, including the duty to make contracts for training in job-related vocational skills, as specified.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10209 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 10209. (a) Contracts shall only be made for training in
- 4 job-related vocational skills that are necessary for participants to
- 5 attain a new job or retain an existing job with definite career
- 6 potential and long-term job security. The contracts for vocational
- 7 skills training may include ancillary training for job-related basic
- 8 and literacy skills training if the panel finds that the training is
- 9 necessary to achieve the objectives of the vocational training.
- 10 (b) Contracts for projects involving on-the-job training shall
- 11 specify the specific skills and competencies to be gained as a
- 12 result of the on-the-job training component of the project.

1 (c) The panel shall not approve any training proposal ~~which~~
2 *that* facilitates the change in ownership of a business leading to
3 the likelihood that an existing collective bargaining agreement
4 would be declared void.

5 (d) To encourage a broad and equitable distribution of funds,
6 the panel may require an employer who has previously received
7 funds pursuant to this chapter for retraining of workers at a
8 facility to contribute proportionately more to the cost of training
9 in subsequent panel contracts for training of workers at the same
10 facility.

11 (e) The panel may delegate to the executive director the
12 authority to approve training contracts of up to one hundred
13 thousand dollars (\$100,000), provided the contracts meet the
14 requirements of this chapter and the policies established by the
15 panel, and provided that the panel regularly reviews the actions
16 taken by the executive director pursuant to this subdivision.

17 (f) Payments shall be made in accordance with a performance
18 contract under which partial payments may be made during
19 training, a partial payment may be made on placement or
20 retention of each trainee, and not less than 25 percent of the
21 negotiated fee is withheld until the trainee has been retained in
22 employment for 90 days after the end of training with a single
23 employer, except for those occupations in which it is not
24 customary for a worker to be employed 90 consecutive days with
25 a single employer. In these latter cases, the panel may substitute
26 a period similar to the probationary period customary to the
27 occupation. The probationary period shall not be less than 500
28 work hours and shall be completed within 272 days of the
29 completion of the training. In no case shall any payment be
30 considered to have been earned until the trainee has been retained
31 in employment for 90 days or the equivalent probationary period
32 for an occupation in which it is not customary for a worker to be
33 employed 90 consecutive days with a single employer.

34 (g) Contracts for new hire training shall require the contractor
35 to provide the placement services necessary to ensure the trainees
36 are placed in jobs for which they have been trained.